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COMDATA INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAMORE PAYNE,

Plaintiff,

v.

COMDATA INC.,

Defendant.

Case No: 2:24-CV-00377-DJC-CKD

**JOINT STIPULATION TO SUBMIT MATTER
TO ARBITRATION; REQUEST TO STAY;
ORDER**

Complaint filed: 2/1/24

First Amended Complaint filed: 2/1/24

Second Amended Complaint filed: 2/29/24

Judge: Hon. Daniel J. Calabretta

Plaintiff LAMORE PAYNE ("Plaintiff"), and Defendant COMDATA INC. ("COMDATA"), by and through its respective counsel of record, hereby enter into the stipulation below with reference to the following facts:

WHEREAS, on or around February 29, 2024, Plaintiff filed a Second Amended Complaint against Defendant COMDATA INC., alleging a violation of the Electronic Fund Transfer Act, 15 U.S.C. § 1693 *et seq.*

WHEREAS, Comdata seeks to compel Plaintiff's claims against it to arbitration pursuant to the Cardholder Agreement that is attached hereto as **Exhibit A**.

WHEREAS, Plaintiff will not oppose Comdata's request in the interest of judicial economy.

WHEREAS, Plaintiff agrees to proceed to arbitration before the American Arbitration Association against Comdata.

1 WHEREAS, the Parties request that the Court set a Status Conference for no
2 earlier than March 30, 2025, to confirm the status of arbitration.

3 THEREFORE, the Parties, by and through their undersigned counsel of record,
4 hereby stipulate and agree and respectfully request that the Court enter an order
5 submitting Plaintiff's claim to binding arbitration and staying Plaintiff's action pending
6 arbitration.

7 Respectfully submitted,
8 Dated: June 6, 2024 ARMAS & JOSEPH, APC

9
10 By: /s/ Andrei Armas
11 Andrei Armas
12 Attorneys for Plaintiff
13 LAMORE PAYNE

14 Dated: June 6, 2024 LOKER LAW, APC

15
16 By: /s/ Matthew S. Loker
17 Matthew M. Loker
18 Attorneys for Plaintiff
19 LAMORE PAYNE

20 Dated: June 6, 2024 CARLE, MACKIE, POWER & ROSS LLP

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22 By: /s/ Kristin A. Mattiske-Nicholls
23 Phillip J. Terry
24 Kristin A. Mattiske-Nicholls
25 Attorneys for Defendant
26 COMDATA INC.
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ORDER

Based on the Joint Stipulation filed by the Parties, the Court hereby ORDERS as follows: Plaintiff's claim as to COMDATA INC. is submitted to binding arbitration. This action is stayed pending completion of arbitration.

The parties shall file a joint report apprising the Court on the status of arbitration within one hundred eighty (180) days from the date of this order and every ninety (90) days thereafter or within fourteen (14) days after the completion of arbitration, whichever is sooner.

IT IS SO ORDERED.

Dated: June 7, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE